

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

ALLISON DAWN BLIXT and L. Z.-B.

Plaintiffs,

v.

The UNITED STATES DEPARTMENT  
OF STATE and MICHAEL POMPEO in  
his official capacity as Secretary, U.S.  
Department of State

Defendants.

SO ORDERED

*s/James B. Clark*

James B. Clark, U.S.M.J.

Date: 8/27/2020

Civ. No. 1:20-cv-02102-KM-JBC

*\*counsel for plaintiff shall  
initiate the call.*

JOINT REQUEST TO APPEAR VIRTUALLY AT SEPTEMBER 14, 2020  
INITIAL CONFERENCE

Plaintiffs Allison Dawn Blixt and minor L. Z.-B., and Defendants U.S. Department of State and Michael Pompeo, in his official capacity as Secretary of the U.S. Department of State, respectfully request to participate virtually at this Court's September 14, 2020 Initial Conference and hereby state the following:

1. On August 5, 2020, this Court issued a letter order scheduling an initial conference in this case for September 14, 2020, at 10:30 AM in Newark – Courtroom 2A.
2. Counsel for Defendants is located in Washington, D.C. Given the COVID-19 pandemic,<sup>1</sup> the Civil Division of the Department of Justice ("DOJ") entered Phase 1 for the National Capital Region on July 13, 2020, of which Washington, D.C. is a part. Under Phase 1, DOJ encourages maximum telework for its employees, with

<sup>1</sup> On March 13, 2020, the President declared a National Emergency in an effort to address the spread of COVID-19. See <https://www.whitehouse.gov/presidential-actions/proclamationdeclaring-national-emergency-concerning-novel-coronavirus-disease-covid-19-outbreak/> (last accessed Aug. 21, 2020).

individual decisions left up to its components. To protect the health of the attorneys and their families, the directors of the Federal Programs Branch (the DOJ component representing Defendants in this action) have determined that, absent an exceptional circumstance, its attorneys are not to attend in-person litigation events.<sup>2</sup>

3. Counsel for Plaintiffs, meanwhile, are located in New York, NY and Washington, D.C. Subject to any order or instruction of the Court, Plaintiffs are amenable to accommodating Defendants' request for the parties to appear at the September 14, 2020 conference via telephone or video conference ("VTC") technology.
4. Therefore, the parties respectfully request that this Court allow them to appear at the September 14, 2020 conference via telephone or VTC.

Dated: August 26, 2020

Respectfully submitted,

ETHAN P. DAVIS  
Principal Deputy Assistant Attorney  
General

ANTHONY J. COPPOLINO  
Deputy Branch Director

/s/ Vinita B. Andrapalliyal  
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<sup>2</sup> See also Memorandum to Heads of Dep't Components and United States Att'ys Re: Department Framework for Returning to Normal Operations Status (May 18, 2020) at 6, available at <https://www.justice.gov/doj/page/file/1284406/download>. ("Only essential travel is permissible in Phase 1.").

Dated: August 26, 2020  
New York, New York

/s/ Theodore Edelman

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